

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

ALBERT GRAY, Administrator, et al

VS.

JEFFREY DERDERIAN, et al

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C.A. NO. 04-312L

ANSWER OF DEFENDANT, JBL, INCORPORATED
f/k/a JAMES B. LANSING SOUND, INCORPORATED d/b/a JBL PROFESSIONAL
TO PLAINTIFFS' FIRST AMENDED MASTER COMPLAINT

FIRST DEFENSE

AS TO PARTIES

PLAINTIFFS

This defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 1 through 240 of the plaintiffs' complaint and leaves the plaintiffs to their proof.

AS TO GENERAL ALLEGATIONS AS TO ALL DEFENDANTS

This defendant denies the allegations contained in paragraph 271 of the plaintiffs' complaint.

AS TO JEFFREY DERDERIAN

This defendant makes no answer to paragraphs 272 through 283, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO MICHAEL DERDERIAN

This defendant makes no answer to paragraphs 284 through 290, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO DERCO, LLC

This defendant makes no answer to paragraphs 291 through 297, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

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AS TO HOWARD JULIAN

This defendant makes no answer to paragraphs 298 through 303, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO TRITON REALTY LIMITED PARTNERSHIP

This defendant makes no answer to paragraphs 304 through 311, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

TRITON REALTY, INC.

This defendant makes no answer to paragraphs 312 through 319, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO RAYMOND J. VILLANOVA

This defendant makes no answer to paragraphs 320 through 327, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO JACK RUSSELL

This defendant makes no answer to paragraphs 328 through 334, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO JACK RUSSELL TOURING, INC.

This defendant makes no answer to paragraphs 335 through 343, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO PAUL WOOLNOUGH

This defendant makes no answer to paragraphs 344 through 351, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO MANIC MUSIC MANAGEMENT, INC.

This defendant makes no answer to paragraphs 352 through 359, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

KNIGHT RECORDS, INC.

This defendant makes no answer to paragraphs 360 through 367, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO DANIEL BIECHELE

This defendant makes no answer to paragraphs 368 through 375, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO ANHEUSER-BUSCH, INCORPORATED AND
ANHEUSER-BUSCH COMPANIES, INCORPORATED

This defendant makes no answer to paragraphs 376 through 386, the same not applying to these defendants, but in so far as the same may apply all allegations therein are specifically denied.

AS TO MCLAUGHLIN & MORAN, INC.

This defendant makes no answer to paragraphs 387 through 394, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO WHJY, INC. AND CAPSTAR RADIO OPERATING COMPANY

This defendant makes no answer to paragraphs 395 through 404, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO CLEAR CHANNEL BROADCASTING, INC.

This defendant makes no answer to paragraphs 405 through 410, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO DENIS P. LAROCQUE, ANTHONY BETTENCOURT AND
MALCOLM MOORE, IN HIS CAPACITY AS FINANCE DIRECTOR OF THE
TOWN OF WEST WARWICK

This defendant makes no answer to paragraphs 411 through 433, the same not applying to these defendants, but in so far as the same may apply all allegations therein are specifically denied.

AS TO THE STATE OF RHODE ISLAND AND
IRVING J. OWENS, FIRE MARSHAL

This defendant makes no answer to paragraphs 434 through 440, the same not applying to these defendants, but in so far as the same may apply all allegations therein are specifically denied.

AS TO BRIAN BUTLER

This defendant makes no answer to paragraphs 441 through 446, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO TVL BROADCASTING, INC.

This defendant makes no answer to paragraphs 447 through 452, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO STC BROADCASTING, INC.

This defendant makes no answer to paragraphs 453 through 458, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO BARRY H. WARNER

This defendant makes no answer to paragraphs 459 through 468, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO LUNA TECH, INC.

This defendant makes no answer to paragraphs 469 through 480, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO HIGH TECH SPECIAL EFFECTS, INC.

This defendant makes no answer to paragraphs 481 through 492, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO AMERICAN FORM CORPORATION

This defendant makes no answer to paragraphs 493 through 506, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO LEGGETT & PLATT, INCORPORATED

This defendant makes no answer to paragraphs 507 through 535, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO L&P FINANCIAL SERVICES CO.

This defendant makes no answer to paragraphs 536 through 563, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO GENERAL FOAM CORPORATION

This defendant makes no answer to paragraphs 564 through 591, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO GFC FOAM, LLC

This defendant makes no answer to paragraphs 592 through 620, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO FOAMEX LP - SUCCESSOR LIABILITY FOR GENERAL FOAM CORPORATION,

This defendant makes no answer to paragraphs 621 and 622, the same not applying to these defendants, but in so far as the same may apply all allegations therein are specifically denied.

AS TO FOAMEX INTERNATIONAL, INC. - LIABILITY FOR FOAMEX LP

This defendant makes no answer to paragraphs 623 through 625, the same not applying to these defendants, but in so far as the same may apply all allegations therein are specifically denied.

AS TO FMXL, INC. - LIABILITY AS GENERAL PARTNER

This defendant makes no answer to paragraphs 626 through 628, the same not applying to these defendants, but in so far as the same may apply all allegations therein are specifically denied.

AS TO PMC, INC.

This defendant makes no answer to paragraphs 629 through 631, the same not applying to these defendants, but in so far as the same may apply all allegations therein are specifically denied.

AS TO PMC GLOBAL, INC.

This defendant makes no answer to paragraphs 632 through 634, the same not applying to these defendants, but in so far as the same may apply all allegations therein are specifically denied.

AS TO JBL INCORPORATED f/k/a James B. Lansing Sound,
Incorporated d/b/a JBL Professional

1. This defendant admits that JBL Incorporated, formerly known as James B. Lansing Sound, Incorporated d/b/a JBL Professional is a foreign corporation organized and existing under the laws of the State of Delaware and is without knowledge or information sufficient to form a belief as to the remainder of the allegations contained in paragraph 635 until the product, allegedly manufactured by this defendant is identified.

2. This defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 636 until the product allegedly manufactured by this defendant is identified.

3. This defendant denies the allegations contained in paragraphs 637, 638, 639, 640, 641, 642 and 643.

4. This defendant incorporates by reference its answers to paragraphs 1 through 271 and 635 through 643 as its answers to paragraph 644.

5. This defendant denies the allegations contained in paragraphs 645, 646, 647 and 648.

6. This defendant incorporates by reference its answers to paragraphs 1 through 271 and 635 through 643 as its answers to paragraph 649.

7. This defendant denies the allegations contained in paragraphs 650 and 651.

AS TO ESSEX INSURANCE COMPANY, MULTI-STATE INSPECTIONS, INC.
AND HIGH CALIBER INSPECTIONS, INC.

This defendant makes no answer to paragraphs 652 through 665, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

UNDERWRITERS AT LLOYD'S LONDON
AND GRESHAM & ASSOCIATES OF R.I., INC.

This defendant makes no answer to paragraphs 666 through 679, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO ABC BUS, INC. d/b/a ABC BUS LEASING, INC.

This defendant makes no answer to paragraphs 680 through 687, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO SUPERSTAR SERVICES LLC

This defendant makes no answer to paragraphs 668 through 695, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

AS TO COUNTS LXXX AND LXXXI

1. This defendant makes no answer to paragraphs 696 through 706, the same not applying to this defendant, but in so far as the same may apply all allegations therein are specifically denied.

2. This defendant denies all other allegations contained in the plaintiffs' complaint.

SECOND DEFENSE

The plaintiffs, and each of them, were guilty of conduct which caused or contributed to the injuries and/or damages complained of.

THIRD DEFENSE

The plaintiffs injuries and/or damages, if any at all, were caused by other persons, firms or corporations for whose conduct this defendant is not responsible.

FOURTH DEFENSE

The plaintiffs, and each of them, were guilty of conduct which caused or contributed to the injuries and/or damages complained of.

FIFTH DEFENSE

This defendant affirmatively pleads lack of personal and/or subject matter jurisdiction as a bar to the within action.

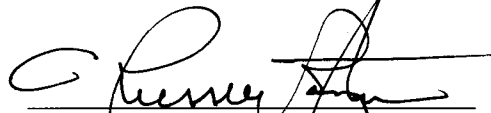
SIXTH DEFENSE

This defendant affirmatively pleads that the product, if manufactured and/or supplied by this defendant, was used in a manner which was unforeseen; used in a manner which was not intended; was altered and/or modified; and therefore, this action is barred.

SEVENTH DEFENSE

The plaintiffs failed to notify this defendant of any breach of warranty or of any wrongful act, within a reasonable time, and therefore this action is barred.

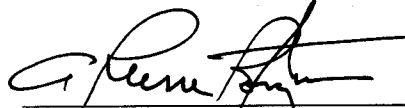
CARROLL, KELLY & MURPHY



C. RUSSELL BENGTSON #1233
One Turks Head Place, Suite 400
Providence, RI 02903
(401) 331-7272

Defendant, JBL, Incorporated f/k/a James B. Lansing Sound, Incorporated
d/b/a JBL Professional hereby claims trial by jury.

CARROLL, KELLY & MURPHY



C. RUSSELL BENGTSON #1233
One Turks Head Place, Suite 400
Providence, RI 02903
(401) 331-7272

CERTIFICATION

I hereby certify that a true copy of the within was sent electronically to the counsel of
records listed on the attached Service List on the 6th day of January,
2000.



SERVICE LIST

COUNSEL FOR PLAINTIFFS

Stephen E. Breggia, Esq.
Breggia, Bowen & Grande
395 Smith Street
Providence, RI 02908
e-mail: sbreggia@bbghlaw.us
*Plaintiff 64; 65(a); 66-68 inclusive;
192-195 inclusive*

Patrick T. Jones, Esq.
Cooley Manion Jones, LLP
21 Custom House Street
Boston, MA 02110
e-mail: pjones@cmj-law.com
*Plaintiff 1-12 inclusive; 13(a)(b)(c);
14-16 inclusive; 80-132 inclusive;
222 and 223*

Eva Marie Mancuso, Esq.
Hamel, Waxler, Allen & Collins
387 Atwells Avenue
Providence, RI 02909
e-mail: emancuso@hwac.com
e-mail: MANCUSO98@aol.com
Plaintiff 69; 70; and 199

Mark S. Mandell, Esq.
Mandell, Schwartz & Boisclair
One Park Row
Providence, RI 02903
e-mail: msmandell@msn.com
*Plaintiff 13(d); 13(e); 17-63 inclusive;
133-190 inclusive; 225 and 226*

Steven A. Minicucci, Esq.
Calvino Law Associates
373 Elmwood Avenue
Providence, RI 02907
e-mail: sminicucci@calvinolaw.com
*Plaintiff 76-79 inclusive; and
215-22 ,inclusive*

Charles N. Redihan, Esq.
Kiernan, Plunkett & Redihan
91 Friendship Street
Providence, RI 02903
e-mail: credihan@kprlaw.com
Plaintiff 191

Michael A. St. Pierre, Esq.
Revens, Revens & St. Pierre
946 Centerville Road
Warwick, RI 02886
e-mail: mikesp@rrsplaw.com
*Plaintiff 65(b); 71-75 inclusive;
196-215 inclusive; and 224*

Max Wistow, Esq.
Wistow & Barylick Inc.
61 Weybosset Street
Providence, RI 02903
e-mail: wwenditti@wistbar.com
*Plaintiff 13(d); 13(e); 17-63 inclusive
133-190 inclusive; 225 and 226*

COUNSEL FOR DEFENDANTS

Thomas C. Angelone, Esquire
Hodosh Spinella & Angelone
One Turks Head Place, Suite 900
Providence, RI 02903
e-mail: AngeloneLaw@aol.com
American Foam Corporation

C. Russell Bengtson, Esq.
Carroll, Kelly & Murphy
One Turks Head Place, Suite 400
Providence, RI 02903
e-mail: rbengtson@ckmlaw.com
*JBL Incorporated fka James B. Lansing Sound,
Incorporated dba JBL Professional*

Gregory L. Boyer, Esq.
170 Westminster Street, Suite 200
e-mail: boyerlaw1@aol.com
Gresham & Associates of RI, Inc.

Mark D. Cahill, Esq.
Eric Bradford Hermanson, Esq.
Choate Hall & Stewart
Exchange Place
53 State Street
Boston MA 02109
e-mail: mcahill@choate.com
e-mail: ehermanson@choate.com
Essex Insurance Company

Joseph V. Cavanagh, Jr., Esq.
Kristin E. Rodgers, Esq.
Blish & Cavanagh, LLP
30 Exchange Terrace
Providence, RI 02903
e-mail: jvc@blishcavlaw.com
e-mail: ker@blishcavlaw.com
Anheuser-Busch, Inc.

Edward M. Crane, Esq.
Deborah Solmor, Esq.
Skadden, Arps, Slate, Meagher & Flom
333 West Wacker Drive
Chicago, IL 60606
e-mail: ecrane@skadden.com
e-mail: dsolmor@skadden.com
Anheuser-Busch Companies, Inc.

Brian Cunha, Esquire
Brian Cunha & Associates
904 Broadway
East Providence, RI 02914
e-mail: Brian@Briancunha.com

Anthony F. DeMarco, Esq.
Reynolds, DeMarco & Boland, Ltd.
170 Westminster Street, Suite 200
Providence, RI 02903
e-mail: tdemarco@conversent.net
*Jeffrey Derderian, Michael Derderian,
Derco*

Marc DeSisto, Esq.
Desisto Law
211 Angell Street
P.O. Box 2563
Providence, RI 02906-2563
e-mail: marc@desistolaw.com

Dennis P. Larocque, Fire Inspector for the Town of West Warwick
Anthony Bettencourt in his capacity as Police Officer for the Town of West Warwick
Diane Deruosi, in her capacity as Treasurer of the Town of West Warwick

Mark P. Dolan, Esquire
Anthony R. Leone, Esquire
Rice Dolan & Kershaw
170 Westminster Street, Suite 900
Providence, RI 02903
e-mail: ricedolan@ricedolankershaw.com
Underwriters at Lloyds, London

Christopher C. Fallon, Jr., Esq.
Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103-3508
e-mail: cfallon@cozen.com

Stephen P. Fogerty, Esq.
Halloran & Sage, LLP
315 Post Road West
Westport, CT 06880
e-mail: fogerty@halloran-sage.com
Gresham & Associates of RI, Inc.

Mark C. Hadden, Esq.
Law Offices of Mark C. Hadden
68 Kennedy Plaza, Suite 3
Providence, RI 02903
e-mail: mhadden@mhaddenlaw.com
Essex Insurance Company

Carl A. Henlein, Esq.
John R. Crockett, Esq.
Susan S. Wettle, Esq.
Frost Brown Todd, LLC
400 West Market Street, 32nd Floor
Louisville, KY 40202-3363
e-mail: chenlein@fbtlaw.com
e-mail: jcrockett@fbtlaw.com
e-mail: swettle@fbtlaw.com

Edward T. Hinchey, Esq.
Curtis R. Diedrich, Esq.
Sloane & Walsh
Three Center Plaza
Boston, MA 02108
e-mail: ehinchey@sloanewalsh.com
e-mail: cdiedrich@sloanwalsh.com
Luna Tech, Inc.

Stephen A. Izzi, Esq.
Holland & Knight, LLP
One Financial Plaza, Suite 1800
Providence, RI 02903-0819
e-mail: stephen.izzi@hklaw.com
*Property & Casualty Insurance Association
of America (interested party)*

Howard J. Julian
570 Shermantown Road
Saunderstown, RI 02874
e-mail: sohohomes@yahoo.com

Bruce Keller, Esq.
Jessica L. Margolis, Esq.
Debevoise & Plimpton
919 Third Avenue
New York, NY 10022
e-mail: bkeller@debevoise.com
e-mail: jmargolis@debevoise.com

Fred A. Kelly, Jr., Esq.
Nixon Peabody, LLP
One Citizens Plaza
Providence, RI 02903
e-mail: fkelly@nixonpeabody.com
Paul Woolnough, Manic Music Management, Inc.
Knight Records, Inc.

Donna M. Lamontagne, Esq.
Zizik, Powers, O'Connell, Spaulding
& Lamontagne, P.C.
40 Westminster Street, Suite 201
Providence, RI 02903
e-mail: dlamontagne@zizikpowers.com

Ronald Langlois, Esq.
Lauren D. Wilkins, Esq.
Smith & Brink, P.C.
One State Street, Suite 400
Providence, RI 02908
e-mail: rlanglois@smithbrink.com
e-mail: lwilkins@smithbrink.com
Barry H. Warner

Stefanie DiMaio Larivee, Esq.
215 Broadway
Providence, RI 02903
e-mail: singinglawyer@msn.com
Attorney for Ron Kingsley

Faith A. LaSalle, Esq.
Law Offices of Faith A. LaSalle
One Turks Head Place, Suite 1010
Providence, RI 02903
e-mail: flasalle@lasallelaw.com

James R. Lee, Esq.
Department of Attorney General
150 South Main Street
Providence, RI 02903
e-mail: jlee@riag.state.ri.us
State of Rhode Island, Irving J. Jones in his capacity as Fire Marshal
for the State of Rhode Island

Thomas W. Lyons, Esq.
Strauss Factor Laing & Lyons
222 Richmond Street, Suite 208
Providence, RI 02903-2914
e-mail: tlyons@straussfactor.com
Leggett & Platt Incorporated
(Successor to Gordon Manufacturing Company)
L&P Financial Services Co.

Richard W. MacAdams, Esq.
MacAdams & Weick, Inc.
101 Dyer Street, Suite 400
Providence, RI 02903
e-mail: rmacadams@mandwlaw.com
Brian Butler, Lin Television Corp.

John R. Mahoney, Esquire
Asquith & Mahoney LLP
155 South Main Street, 2nd Floor
Providence, RI 02903
e-mail: johnmahoney@amlawllp.com
Multi-State Inspections, Inc.
High Caliber Inspections, Inc.

W. Thomas McGough, Jr., Esq.
James J. Restivo, Esq.
Reed Smith LLP
435 Sixth Avenue
Pittsburg, PA 15219
e-mail: tmcgough@reedsmith.com
e-mail: jrestivo@reedsmith.com
Clear Channel Broadcasting, Inc.

Edwin F. McPherson, Esq.
McPherson & Kalmansohn
1801 Century Park East, 24th Floor
Los Angeles, CA 90067
e-mail: emcpherson@m-klaw.com
Jack Russell, Jack Russell Touring, Inc.,
Paul Woolnough, Manic Music Management, Inc.
Knight Records, Inc.

Matthew F. Medeiros, Esq.
Little Medeiros Kinder Bulman & Whitney
72 Pine Street
Providence, RI 02903
e-mail: mfm@lmkbw.com

Howard A. Merten, Esq.
Eric M. Sommers, Esq.
Benjamin White, Esq.
Vetter & White
20 Washington Place
Providence, RI 02903
e-mail: hmerten@vetterandwhite.com
e-mail: esommers@vetterandwhite.com
e-mail: bwhite@vetterandwhite.com
McLaughlin & Moran, Inc.

Ralph J. Monaco, Esq.
Conway & Londregan, P.C.
38 Huntington Street
P.O. Box 1351
New London, CT 06320
e-mail: rmonaco.c-l@snet.net

James T. Murphy, Esq.
Kelly N. Michels, Esq.
Hanson Curran LLP
146 Westminster Street
Providence, RI 02903
e-mail: jtm@hansoncurran.com
e-mail: knm@hansoncurran.com
*Triton Realty Limited Partnership,
Triton Realty, Inc., Raymond J. Villanova*

Mark T. Nugent, Esq.
Paul Sullivan, Esq.
Morrison, Mahoney & Miller
One Providence Washington Plaza, 6th Floor
Providence, RI 02903
e-mail: mnugent@morrisonmahoney.com
High Tech Special Effects, Inc.

J. Renn Olenn, Esquire
Olenn & Penza
530 Greenwich Avenue
Warwick, RI 02886
e-mail: jro@olenn-penza.com

Mark K. Ostrowski, Esq.
Jose M. Rojas, Esq.
Shipman & Goodwin, LLP
One American Row
Hartford, CT 06103-2819
e-mail: mostrowski@goodwin.com
e-mail: jrojas@goodwin.com

Stephen M. Prignano, Esq.
Stephen J. MacGillivray, Esq.
Edwards & Angell, LLP
2800 Financial Plaza
Providence, RI 02903
e-mail: sprignano@edwardsangell.com
e-mail: smacgillivray@edwardsangell.com
WHJY-FM, Clear Channel Broadcasting, Inc.

Stephen M. Prignano, Esq.
Edwards & Angell, LLP
2800 Financial Plaza
Providence, RI 02903
e-mail: sprignano@edwardsangell.com
Home Depot U.S.A., Inc.

Robert I. Reardon, Jr., Esq.
The Reardon Law Firm, PC
160 Hempstead Street
New London, CT 06320
e-mail: ReardonLaw@aol.com

James H. Reilly, III, Esq.
Donald J. Maroney, Esq.
Kelly Kelleher Reilly & Simpson
146 Westminster Street, Suite 500
Providence, RI 02903
e-mail: jreilly@kkr.com
e-mail: dmaroney@kkr.com
Daniel Biechele

Ronald J. Resmini, Esq.
Ronald J. Creamer, Esq.
Law Offices of Ronald J. Resmini
155 South Main Street, Suite 400
Providence, RI 02903
e-mail: resminilaw@yahoo.com

James A. Ruggieri, Esq.
Higgins, Cavanagh & Cooney
123 Dyer Street
Providence, RI 02903
e-mail: jruggieri@hcc-law.com
General Foam Corp., GFC Foam, Inc.
Foamex, L.P., Foamex International, Inc.
FXMI, Inc., PMC, Inc., PMC Global, Inc.

Andrew J. Trevelise, Esq.
Reed Smith LLP
2500 One Liberty Place
Philadelphia, PA 19103-7301
e-mail: atrevelise@reedsmith.com
Clear Channel Broadcasting, Inc.

Ann M. Songer, Esq.
Shook Hardy & Bacon
One Kansas City Place
1200 Main Street
Kansas City, MO 64105
e-mail: asonger@shb.com
L&P Financial Services Co.

Randall L. Souza, Esq.
Ian C. Ridlon, Esq.
Fred A. Kelly, Jr., Esq.
Nixon Peabody, LLP
One Citizens Plaza
Providence, RI 02903
e-mail: rsouza@nixonpeabody.com
e-mail: iridlon@nixonpeabody.com
e-mail: fkelly@nixonpeabody.com
Jack Russell, Jack Russell Touring, Inc.,

Georgia Sullivan, Esq.
Mathis & Associates
55 Farmington Avenue, Suite 500
Hartford, CT 06106
e-mail: Georgia.Sullivan@thehartford.com
*JBL Incorporated fka James B. Lansing Sound,
Incorporated dba JBL Professional*

Mark D. Tourgee, Esq.
Timothy A. Williamson, Esq.
Iman Tourgee & Williamson
1193 Tiogue Avenue
Coventry, RI 02816
e-mail: InmanTourgeeLaw@aol.com

Andrew J. Trevelise, Esq.
Reed Smith LLP
2500 One Liberty Place
Philadelphia, PA 19103-7301
e-mail: atrevelise@reedsmith.com
Clear Channel Broadcasting, Inc.

Scott J. Tucker, Esq.
Tucker, Heifetz & Slatzman LLP
Three School Street
Boston, MA 02108
e-mail: stucker@ths-law.com

Earl H. Walker, Esq.
Charles Babcock, Esq.
Nancy W. Hamilton, Esq.
Jackson Walker LLP
1401 McKinney, Suite 1900
Houston, TX 77010
e-mail: ewalker@jw.com
e-mail: cbabcock@jw.com
e-mail: nhamilton@jw.com
Brian Butler, Lin Television Corp.

George E. Wolf, III, Esquire
Shook, Hardy & Bacon, LLP
One Kansas City Place
1200 Main Street
Kansas City, MO 64105-2118
e-mail: gwolf@shb.com
Leggett & Platt Incorporated
(Successor to Gordon Manufacturing Company)